



FEB 28 2008
14987

PATENT
ATTORNEY DOCKET NO.: 040894-7374

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Tatsushi OGAWA et al.) Confirmation No.: 1486
Application No.: 10/564,761) Group Art Unit: 3721
Filed: January 17, 2006) Examiner: Lindsay M. Low
For: CYLINDRICAL CONTACT ARM)
HAVING A TAPERED GUIDE)
SECTION IN A POWER-DRIVEN)
NAILING MACHINE (As Amended))

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment to the Office Action dated October 29, 2007.

2. Additional papers enclosed:

- Drawings: Formal Informal (Correction)
- Information Disclosure Statement
- Form PTO-1449, three (3) references included along with office action from the Japanese Patent Office dated November 1, 2007 and English translation of the Office Action
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$120.00

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	19	minus	20	0	x \$50 each=	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each=	+ \$00.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$00.00

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge **\$300.00** to Deposit Account 50-0310 for the one (1) month extension of time fee of \$120 and the IDS fee of \$180.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Arthur M. Antonelli
Reg. No. 51,410

Dated: February 28, 2008

Customer No.: 009629

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